

**CHELSEA TREE TRUST FUND ORDINANCE
ORDINANCE 156
SECTION 1. PURPOSE AND INTENT**

ADOPTED: January 27, 2009

EFFECTIVE: March 5, 2009

The City of Chelsea, Michigan, Ordains:

- A. Purpose – The purpose of this Ordinance is to promote and protect the public health, safety, and general welfare by establishing a TREE TRUST FUND for the planting, maintenance, removal, and replacement of trees, shrubs, bushes, and other woody vegetation on public places and street rights-of-way within the City of Chelsea.
- B. Intent - It is the intent of the City Council that:
1. The terms of this Ordinance shall promote the planting, maintenance, restoration and preservation of desirable trees and shrubs on public places and street rights-of-way within the city.
 2. The terms of this Ordinance, shall be construed in conjunction with the City of Chelsea Landscaping Standards, as adopted and amended from time to time.

SECTION 2. DEFINITIONS

The following terms, when used in this ordinance, shall have the meanings ascribed to them in this Section.

- A. Park tree: any shade tree, ornamental tree, or upright conifer located in public parks owned by the city.
- B. Street tree: any shade tree, ornamental tree, or upright conifer located within right of way lines of all public streets or private streets which are open to the public within the city.
- C. Any word or term not defined shall have the meaning of common or standard use that is reasonable for the context within which the word is used.

SECTION 3. TREE TRUST FUND

The City Council shall create and maintain a Tree Trust Fund. Such a fund shall be deposited in an account at a federally insured financial institution. The Tree Trust Fund shall serve as a repository for:

- A. Donations to the City of Chelsea which have been designated for the planting, maintenance or restoration of street or park trees.
- B. Grants received by the City of Chelsea for the purpose of planting, maintenance or restoration of street or park trees unless grant money is to reimburse other City expenditures specifically covered in the grant application.
- C. Contributions from property owners or developers as set out in Section 4.

The City Manager and the Department of Public Works Superintendent shall determine the manner in which Tree Trust Fund assets will be committed for planting, maintenance, and restoration of street or park trees. The above tree trust fund is separate from monies budgeted by the City for the removal, maintenance or planting of trees.

SECTION 4. CONTRIBUTIONS TO TREE TRUST FUND BY PROPERTY OWNERS OR DEVELOPERS

If the Planning Commission during the site plan review process determines that lot coverage or site characteristics restricts full compliance with the City of Chelsea Landscaping Standards, the Planning Commission may require the applicant to contribute to the Tree Trust Fund an amount necessary to purchase and plant the required number of trees elsewhere in the City. Payment shall be in accordance with the fee schedule as established and amended from time to time by Council resolution.


SECTION 5. REVIEW BY CITY COUNCIL

Any property owner or developer may appeal rulings or determinations of the Planning Commission to the City Council, who may hear the matter and make a final decision.

SECTION 6. Effective Date:

This ordinance shall take effect thirty (30) days after publication in a newspaper circulating within the City of Chelsea, Michigan.

Published in Chelsea Standard: February 5, 2009.



Teresa Royal, Chelsea City Clerk

**RESOLUTION ADOPTING TREE TRUST FUND FEE SCHEDULE FOR
CHELSEA TREE ORDINANCE NO. 156**

WHEREAS, on January 27, 2009, Chelsea City Council, has established Ordinance No. 156 which is intended to promote and protect the public health, safety, and general welfare by establishing a Tree Trust Fund for the planting, maintenance, removal, and replacement of trees, shrubs, bushes, and other woody vegetation on public places and street rights-of-way within the City of Chelsea; and,

WHEREAS, as part of said Tree Ordinance, Section 4 states that City Council shall establish and amend from time to time by resolution a fee schedule for the cost of purchasing and planting of trees as required.

BE IT RESOLVED, that the City Council of the City of Chelsea pursuant to the authority granted by Ordinance No. 156, "Chelsea Tree Trust Fund Ordinance", does hereby establish the fee of \$350.00 per tree for the cost of trees to be purchased and planted.

I, Terri Royal, Clerk of the City of Chelsea, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Chelsea, County of Washtenaw, State of Michigan, at a meeting held on the 27th day of January, 2009, and that public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, including in the case of a special or rescheduled meeting, notice by publication or posting at least eighteen (18) hours prior to the time set for the meeting.



Terri Royal , City Clerk